

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
Request by South Carolina Educational	)	
Television Commission for Waiver to Grant	)	
Geographic Service Areas to Educational	)	WT Docket No. 10-187
Broadband Service Stations Licensed as	)	
Secondary Studio-to-Transmitter Links	)	

**REPLY COMMENTS OF  
THE CATHOLIC TELEVISION NETWORK**

This responds to the Commission's Public Notice asking for comment on the request of the South Carolina Educational Television Commission ("SCETV") for waiver of Section 27.1206 of the Commission's rules to grant geographic service areas ("GSAs") to twelve Educational Broadband Service ("EBS") licenses held by SCETV.<sup>1</sup> The licenses at issue currently do not have GSAs because they were originally licensed as secondary studio-to-transmitter links.

CTN does not oppose the requested waiver. However, the Commission should recognize that granting such waivers amounts to *de facto* licensing of EBS white space. Going forward, rather than granting GSAs on an *ad hoc* basis, the Commission should adopt rules of general applicability to all EBS licensees by addressing pending issues in WT Docket No. 03-66.<sup>2</sup> It has

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<sup>1</sup> *Public Notice*, Wireless Telecommunications Bureau seeks comment on request by South Carolina Educational Television Commission for waiver to grant geographic service areas to Educational Broadband Service stations licensed as secondary studio-to-transmitter links, WT Docket No. 10-198 (DA 10-1735) released September 14, 2010.

<sup>2</sup> *See* Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Fourth Memorandum Opinion and Order and Second Further Notice of Proposed Rulemaking*, WT Docket No. 03-66, 23 FCC Rcd 5992 (2008).

been over two years since comments were filed in that proceeding, yet the white space issue remains unresolved.

CTN appreciates the difficulties of deciding how to fairly license EBS white space within the confines of a commercial auction law that mandates auctions for mutually exclusive EBS applications. The comments filed in WT Docket No. 03-66 reveal widespread support for the proposition that auctions are ill-suited for EBS. However, there was significant disagreement among participants concerning exactly what licensing mechanisms could be used as legally viable alternatives to auctions.

CTN urges the Commission to render a decision on this important issue. Further delay in licensing EBS white space could jeopardize the full nationwide deployment of broadband service in the 2.5 GHz band. Broadband networks are now being deployed with expectations that over 120 million persons will be covered by the end of this year. Without expeditious resolution of this issue, licensees will need to design around unassigned areas, and the educational and commercial benefits of new broadband service alternatives within those areas will be significantly delayed. The Commission may also face the prospect of having to address additional waiver requests as licensees try to fill gaps in their service areas by seeking special exceptions around a significant void in the Commission's rules. CTN stands prepared to assist the Commission in any way that is helpful in resolving the current deadlock.

Respectfully submitted,

THE CATHOLIC TELEVISION NETWORK

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